

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21944 of 2025

Arising Out of PS. Case No.-236 Year-2024 Thana- MAIRWAN District- Siwan

Neeraj Kumar @ D.M @ D.M. Singh S/o Ravindra Singh@ Ravindra Singh
Patel R/o Village- Sumerpur P. S. - Mairwa District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Mairwa P.S. Case No. 236 of 2024 registered for the offences punishable under Sections 126(2), 115, 324(2), 303(2), 329(4), 3(5) of BNS, 2023.

3. As per prosecution case, petitioner was assaulting one girl. Informant came and intervened between them. It is alleged that petitioner alongwith 20 to 25 persons came in group and damaged the gate and entered into the house of informant and took away informant's motorcycle.

4. Learned counsel for the petitioner submits that the alleged girl has not asked for any help from informant despite being informant has interfered between the petitioner



and the alleged girl. It is further submitted that the said girl had no grievance against the petitioner and hence, she did not allege anything before the police. He further submits that motorcycle in question was never taken by the petitioner rather the same was found near Sumerpur Dhala and police seized the said motorcycle and later on handed over to the owner. It is further submitted that no one has received injury in the said occurrence and as such, no injury report is available on record. Petitioner is in custody since 25.10.2024 and bears criminal antecedent of six cases in which he is on bail. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



learned A.C.J.M. - V, Siwan in connection with Mairwa P.S.
Case No. 236 of 2024, subject to following conditions:-

- (i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.
- (ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.
- (iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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